

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.710 OF 1989

Yogendra Rajpuria Plaintiff

Versus

Samrat Builders & ors. Defendants

Ms Mirashi i/b Shah & Sanghavi for plaintiff
Mr. Mangesh i/b H.V.Gala & Co. for deft.Nos.1 to 3
Mr.A.Narula i/b J.Narula and Asso. for deft.no.5

CORAM : P.V.KAKADE, J.

DATE : 15TH DECEMBER, 2005

P.C.:

1. Heard advocate for the plaintiff as well as advocates for defendant nos.1 to 3 and 5. Advocate for the plaintiff submits that as per draft amendment the defendant no.5 be added. In view of the facts and circumstances the defendant no.5 is added. Amendment to that effect is granted, which is to be carried out within one week.

2. The learned counsel for the plaintiffs seeks permission to delete the name of defendant no.4 from the plaint. Permission is granted. Amendment to that effect be carried out within one week.

3. The parties have filed Consent Terms between the Plaintiff and Defendant Nos.1,3 and 5, which are taken on record and marked as "X" for identification. Draw decree in terms of the Consent Terms. Undertaking contained in the Consent Terms are duly accepted. The suit stands disposed of in terms of the Consent Terms with no order as to costs.